

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 4243 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE A.L.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

CHAIRMAN, MEHSANA DUDH UTPADAKSAHKARI SANGH LT.

Versus

LAKHUBHAI JAGMALBHAI

Appearance:

1. Criminal Misc.Application No. 4243 of 1997
MR MEHUL SHARAD SHAH for Petitioners
MR RC JANI for Respondent No. 1
MR UMESH TRIVEDI ADDL PUBLIC PROSECUTOR for Respondent No. 2

CORAM : MR.JUSTICE A.L.DAVE

Date of decision: 06/07/1999

ORAL JUDGEMENT

#. Heard Mr.Mehul S. Shah, learned advocate for the petitioner. The respondent No.1 who is the partner of Shreeji Corporation has retired and his partner Govindbhai Laxmanbhai Patat, partner of Shreeji Corporation is present in the Court. He has filed

affidavit. The State is represented by Shri Umesh Trivedi, learned APP.

#. It is stated that the dispute between the respondent No.1 - the complainant and the accused - the petitioner is now settled. It is stated that the complaint was the outcome of some misunderstanding and therefore, the respondent No.1 in his affidavit has stated that the complaint may be quashed.

#. Apart from this affidavit, even on merits, if the complaint is perused, it is amply clear that it relates to civil dispute and does not fulfil required ingredients of the offence alleged. Under these circumstances, on merits also, the complaint deserves to be quashed. In this view of the matter, the complaint being Criminal Case No : 641 / 97 before Chief Judicial Magistrate, Mehsana is hereby quashed and set aside. Rule is discharged.

Date : 6-7-1999 [A.L.Dave, J.]

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